

Pro TECHTOR INTERNATIONAL SERVICES
20775 Norada Court
Saratoga, CA 95070-3018

Docket No. 1291055
Customer No: 47625

1760

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Tien-Ho GAU

Serial No. 10/785,591

Filed 02/03/2004

For: Micro-droplet Generator with Auto-stabilization Function

Examiner: Hwu, Davis D

Group Art Unit 3752

Petition for Suspension of Rules and

Extension of Time to Respond

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Alexandria, VA 22313-1450

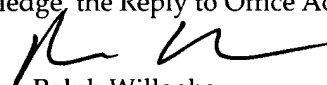
Sir:

1. Extension of Time to Respond: Applicant requests a 5 month extension with fees authorized below.
2. Petition: Applicant hereby petitions for a suspension of rules, due to an inequitable result, in the above-identified application.
3. Nature of Rule requested to be Suspended: Specifics of the requirements for a separate electronic signature on a Certificate of Mailing located at the top of a page which is signed long-hand at the bottom of that page.
4. Statements of Facts: In a Office Action of October 25, 2005, an Election was required in the above application. A single-page reply was timely mailed on November 21, 2005 with a Certificate of Mailing at the top of the page, copy attached. The format used was believed to be adequate as an electronic signature when supported by the long-hand signature at the bottom of the page.

However, the Post Office did not deliver the reply envelope to the PTO, but returned it to us on, or about, February 13, 2006. It was stamped "Forwarding Expired", but the exact nature of any illegibility or address defect is not known. The reply was remailed, with an explanatory note, and was received by the USPTO on March 6, 2006.

At that point, the Certificate of Mailing was ruled invalid for not having a valid separate signature; and a requirement for an Extension of Time to Reply was imposed. Normally, an extension would not be an issue; but due to the delay resulting from the Post Office action, a 5 month extension was required at a cost of \$2160.00. The extension fee is paid herein, but respondent believes the magnitude of the fee to be inequitable.

5. Affidavit: I hereby attest that, of my own personal knowledge, the Reply to Office Action was originally mailed to the USPTO on November 21, 2005.

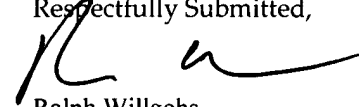

Ralph Willgohe

6. Action Requested: Acceptance of the Certificate of Mailing as originally mailed, and refund of the fee for extension of time to reply.
7. Petition Fee and other Fees: Authorization is hereby given to charge the fee for Extension of Time to Reply, the Petition fee, and any underpaid fees to deposit account number 16-2497.
8. Certificate of Mailing: I hereby certify that this petition is being deposited with the United States Postal Service as first class mail in an envelope under 37 CFR 1.8 on the date indicated below, addressed to: Mail Stop Petition, Commissioner of Patents, Alexandria, VA 22313-1450.

Date: April 12, 2006

telephone: 408/859-9460

Respectfully Submitted,


Ralph Willgohe
Reg. No. 48,800

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